

Service and Fare Equity Analysis Policy

Pursuant to Federal Transit Administration (“FTA”) Circular 4702.1B, FTA Circular 4703.1, and Title VI of the Civil Rights Act of 1964, and their related regulations, the following is the policy of the Connecticut Department of Transportation (CTDOT) for service and fare equity analyses and determination of disparate impact and disproportionate burden.

Disparate impact refers to a facially neutral policy or practice that disproportionately affects members of a group identified by race, color, or national origin, when the recipient’s policy or practice lacks a substantial legitimate justification and when there exists one or more alternatives that would serve the same legitimate objectives but with less disproportionate effect on the basis of race, color, or national origin.

Disproportionate burden refers to a facially neutral policy or practice that disproportionately affects low-income population’s more than non-low-income populations. A finding of disproportionate burden requires the recipient to evaluate alternatives and mitigate burdens where practicable.

Section I: Service Equity Analysis

Major Service Change Policy:

All changes in service meeting the definition “Major Service Change” are subject to a Title VI Equity Analysis and a public hearing prior to presentation to the Commissioner of Transportation for approval and implementation actions. The following are considered “major service reductions” that would require a public hearing and a service equity analysis prior to approval by ConnDOT:

- A proposal to abandon all service on an entire bus route or rail line, or for a complete elimination of a route or a branch that significantly affects span of service;
- a proposal to eliminate service on a portion of a bus route or rail line that represents more than 25 percent of the route miles of the particular route or line. (No public hearing is necessary if alternative transit service is available on existing duplicative service provided by CTTransit or another transit provider or by transfer to another route);
- a proposal to substantially reduce service on a bus route or rail line, specifically where reduction of service increases the headway of the peak period service by more than 50 percent or more than doubles the off-peak headway.
- The addition of, or reduction in, more than ten percent (10%) of the rail or bus system’s overall riders or vehicle revenue hours through one or more route changes

A Service Equity Analysis will be conducted whenever CTDOT implements a major service change to the rail or bus system as defined in this policy when it would remain in effect in excess of twelve (12) months. Further, when a service change is proposed, there shall be a twelve-month look-back to ascertain if the aggregate of any changes in the prior twelve months would have triggered one of these major service change criteria and therefore an equity analysis.

The following service changes are exempted:

- Standard seasonal variations in service;
- Minor route alignment, frequency, span, or time point adjustments; routing or bus stop changes due to temporary road detours caused by construction, maintenance, closures, emergencies, labor disruptions or strikes, fuel shortages, or safety concerns;
- Any temporary service addition, change, or discontinuation of a route with less than twelve months of operation;
- Changes on special service routes serving sporting events, special events, or service contracted through other cities or agencies;
- Any service change that does not meet the definition of a major service change described above.

Route-by-Route Analysis - To determine the impacts of major service changes on specific routes, the percentage of impacted minority population (sum of minority population in all impacted tracts divided by the minority population of the service area as a whole) will be compared to the percentage of impacted non-minority population (sum of non-minority population in all impacted tracts divided by the non-minority population of the service area as a whole). Comparisons of impacts between minority and non-minority populations will be made for all changes for each day of service — weekday, Saturday, and Sunday.

Systemwide Analysis - To determine the system-wide impacts of major service changes, the percentage of impacted minority population (sum of minority population in all impacted tracts divided by the minority population of the service area as a whole) will be compared to the percentage of impacted non-minority population (sum of non-minority population in all impacted tracts divided by the non-minority population of the service area as a whole). Comparisons of impacts between minority and non-minority populations will be made for all changes for each respective day of service — weekday, Saturday, and Sunday.

Section II: Fare Equity Analysis

Fare Changes:

A fare equity analysis will be conducted whenever CTDOT implements a fare change, regardless of the amount of increase or decrease, except for those fare changes mandated by Federal, state or local law. A fare change is defined as an increase or decrease in fares: (a) on the entire system, (b) on certain transit modes, or (c) by fare payment type or fare media. The exceptions are as follows:

- “Spare the air days” or other instances when a local municipality, the state or CTDOT has declared that all passengers ride free;
- Temporary fare reductions that are mitigating measures for other actions (i.e. construction activities that close a segment of the rail system); or
- Promotional fare reductions that last less than six (6) months.

The fare equity analysis will evaluate the effects of the proposed fare changes on minority populations and low-income populations. For proposed changes that would increase or decrease the fares on the entire system, or on certain modes, or by fare payment type or fare media, CTDOT will analyze any available information generated from ridership surveys indicating whether minority and/or low-income riders are disproportionately more likely to use the mode of service, payment type or payment media that would be subject to the change.

Section III: Disparate Impact Policy:

The purpose of this policy is to establish a threshold which identifies when adverse effects of a major service or fare change are borne disproportionately by minority populations. For the purpose of this policy, a minority population is defined as any readily identifiable group of minority persons who live in geographical proximity.

Service Changes

A major service change to the rail or bus system will be deemed to have a disparate impact on minority populations if the percentage of riders or vehicle revenue hours on minority-classified routes affected by the major service change is at least fifteen percentage points (15%) higher than the percentage of riders or vehicle revenue hours on non-minority-classified routes affected by the major service change.

Fare Changes

For fare changes, a fare change will be deemed to have a disparate impact on minority populations if its implementation results in either:

1. When one fare change is proposed, the percentage of impacts of the proposed fare change borne by minority riders as a result of the proposed fare change is at least ten percentage points (10%) higher than the percentage of impacts of that proposed fare change on the overall rider population; or
2. When more than one fare change is proposed:
 - a. For each fare change in the package: the percentage of impacts of each individual proposed fare change borne by minority riders as a result of the proposed fare change is at least ten percentage points (10%) higher than the percentage of impacts of that proposed fare change on the overall rider population; and
 - b. For the total package of fare changes: the aggregate percentage of impacts for the proposed fare changes borne by minority riders as a result of the proposed fare changes is at least five percentage points (5%) higher than the aggregate percentage of impacts on the overall rider population.

Differences in the use of fare options between minority populations and other populations include all such differences that are documented as statistically significant at the 95 percent confidence level.

FTA Circular 4702.1B states that a recipient can implement a fare increase that would have a disproportionate or adverse effect provided that it is demonstrated the action meets a substantial need that is in the public interest and that alternatives would have more severe adverse effects than the preferred alternative.

Section IV: Disproportionate Burden Policy:

A major service change to the rail or bus system will be deemed to have a disproportionate burden on low-income populations if the percentage of riders or vehicle revenue hours on below-poverty-level classified routes affected by the major service change is at least fifteen percentage points (15%) higher than the percentage of riders or vehicle revenue hours on above-poverty-level classified routes affected by the major service change.

A fare change will be deemed to have a disproportionate burden on low-income populations if its implementation results in either:

1. When one (1) fare change is proposed, the percentage of impacts of the proposed fare change borne by low-income riders as a result of the proposed fare change is at least ten percentage points (10%) higher than the percentage of impacts of that proposed fare change on the overall rider population; or
2. When more than one (1) fare change is proposed:
 - a. For each fare change in the package: the percentage of impacts of a single proposed fare change borne by low-income riders as a result of the proposed fare change is at least ten percentage points (10%) higher than the percentage of impacts of that proposed fare change on the overall rider population; and
 - b. For the total package of fare changes: the aggregate percentage of impacts for the proposed fare changes borne by low-income riders as a result of the proposed fare changes is at least five percent (5%) greater than the aggregate percentage of impacts on the overall rider population.

Section V: When a Major Service or Fare Change is Deemed to Have a Disparate Impact and/or Disproportionate Burden

Avoid, Minimize, or Mitigate Impact and/or Burden:

If a proposed major service change or fare change is deemed to have a disparate impact and/or disproportionate burden, CTDOT shall consider modifying the proposed changes in order to avoid, minimize or mitigate the disparate impact(s) or disproportionate burden(s) of the proposed change. Any modifications to the proposed change must be reanalyzed according to the policies in Sections I and II to determine whether the proposed change removed the disparate impacts and/or disproportionate burdens of the change.

No Alterations or Unable to Remove Impact and/or Burden:

If CTDOT chooses not to alter the proposed major service or fare change, or if modifications to the proposed major service or fare change do not remove the disparate impact(s) or disproportionate burden(s), the following steps must be taken:

1. If CTDOT chooses not to alter the proposed major service or fare change, or if modifications to the proposed major service or fare change do not remove the disparate impact, CTDOT may implement the major service or fare change only if:
 - a. CTDOT has determined there is a substantial legitimate justification for the proposed service or fare change, and
 - b. CTDOT can show that there are no alternatives that would have a smaller disparate impact on minority riders that would still accomplish the Authority's legitimate program goals.
2. If CTDOT chooses not to alter the proposed major service change or fare change, or if modifications to the proposed major service change or fare change do not remove the disproportionate burden on low-income riders:
 - a. CTDOT shall take steps to avoid, minimize, or mitigate those impacts where practicable, and
 - b. CTDOT should describe alternative service and/or fares available to low income customers.

Section VI – Adverse Effects

As per the guidance, the CTDOT will analyze adverse effects related to major service changes, and pay attention to the fact that the elimination of a route will likely have a greater adverse effect than a reduced frequency (headway change) in service.

The CTDOT will analyze the difference between the existing and proposed service, and consider the degree of the adverse effects when planning service changes.